

AGENDA

**REGULAR MEETING
BOARD OF COMMISSIONERS
CITY OF FRANKFORT, KENTUCKY
315 WEST SECOND STREET
FRANKFORT, KY 40601
(502) 875-8500**

**OCTOBER 24, 2002
5:00 P.M. (EST)**

- 1. INVOCATION** Dr. Steve Pattison, Capital City Christian Church
ROLL CALL
MINUTES October 7, 2002 Work Session; October 10, 2002 Regular Meeting
MAYOR'S REPORT

2. CEREMONIAL ITEMS

2.1 Grand Theater Restoration Project - Save The Grand Theater, Inc.

Background: On 10/3/02, a special community fund raising event was held for the Grand Theatre Restoration Project, sponsored by Save the Grand Theater, Inc. The event was extremely successful in raising additional funds, and the organization plans additional fund raising events and activities in support of this project.

Mr. Jamie Wigglesworth and Mr. Michael Greer have been invited to the Board of Commissioners meeting on 10/24/02 to provide a progress report on the project.

Attachments: None

3. ORDINANCES

3.1 Second reading and adoption of An Ordinance Amending Frankfort Municipal Code Section 13.04.090 Special Charges or Classifications for Peculiar or Unusual Uses of the Sewer System

Purpose: The purpose of this item is to amend the Municipal Code to update the fee schedule for peculiar or unusual uses for commercial haulers hauling sewage items or volumes to the Wastewater Plant. In addition, the ordinance eliminates a prior application procedure for requesting special rates and charges for this purpose. This procedure was used in the past as an appeal procedure to the Board of Commissioners which has been discontinued.

Background: At the Board's Work Session on 10/7/02, the Board reviewed the three ordinances pertaining to revenue modification for the sewer system. It was determined that a delay in the implementation of these ordinances was desirable to provide advance notification to the sewer customers through utility message by the Frankfort Plant Board and Farmdale Water District.

Accordingly, upon the recommendation of the City Solicitor, the first reading of the three ordinances was suggested to be on 10/10/02 due to the amendment in the implementation date. The second reading and adoption of the three ordinances would then be considered for final action on 10/24/02.

City Manager Comments: We are discussing with the Frankfort Plant Board the development of a utility billing insert to notify customers of the December 1 implementation of the new sewer rates. Relative to Farmable Water District customers, the notification will be by special mailing.

Recommendation: Approval.

Attachments: Ordinance

Contact Person:

Name: William Scalf
Title: Director
Dept.: Sewer
Phone: (502) 875-2448
E-mail: Wscalf@fewpb.com

3.2 Second reading and adoption of An Ordinance Amending Ordinance No. 1, 1998 Series, and Frankfort Municipal Code Section 13.04.060 - Sewer Service Charges Based on Water Usage

Purpose: The purpose of this item is to give final approval by the Board of Commissioners to a pending rate increase for the sanitary sewer service. The last rate change was performed in 1998. Over the past six months the Board of Commissioners has conducted numerous work sessions in the analysis of the rate structure. This analysis was further facilitated by the conduct of a formal rate analysis performed by Charles T. Mitchell Co. from Frankfort.

The general level of adjustments for the utility rates is at the level of 30%. Per the report, future rate adjustments to support operational and capital needs are projected at 10% in 2003 and 10% in 2004, subject to final review and action by the Board of Commissioners.

Background: This is the second ordinance for Board consideration relative to sewer service adjustments. This is the major adjustment impact involving residential, commercial and industrial users.

This increase in rates is presented as a three-year rate schedule as follows:

First year	30%
Second year	10%
Third year	10%

Recommendation: Approval.

Attachments: Ordinance

Contact Person:

Name: William Scalf
Title: Director
Dept.: Sewer
Phone: (502) 875-2448
E-mail: Wscalf@fewpb.com

3.3 Second reading and adoption of An Ordinance Amending Frankfort Municipal Code Section 13.04.040 Connection Charges

Purpose: The purpose of this item is to further amend the Municipal Code involving the sewer service relative to connection charges. This is the companion item to the above item involving recommended changes to the Municipal Code in relation to the sanitary sewer rate evaluation performed by the consultant.

Background: This is the third ordinance relative to the rate adjustments referenced under Item 3.1.

Recommendation: Approval.

Attachments: Ordinance

Contact Person:

Name: William Scalf
Title: Director
Dept.: Sewer
Phone: (502) 875-2448
E-mail: Wscalf@fewpb.com

3.4 Second reading and adoption of An Ordinance Closing Portions of Leonardwood Drive, Woodgate Road and Tupelo Trail

Purpose: The purpose of this item is to consider an ordinance to close or abandon the existing platted right-of-way across property owned by Ashwood Place Limited. KRS 82.405 states that if the legislative body of a city determines that a public way located within the city should be closed, the property owners in or abutting the public way must agree to the closing prior to the legislative body action. Ashwood Place has fulfilled this obligation and obtained written permission from all abutting property owners to close portions of Woodgate Road, Tupelo Trail, and Leonardwood Drive.

Background: On 8/21/97, the Planning Commission approved a preliminary subdivision plat for the area that lies behind Poplar Creek Plaza and east of the existing Leonardwood Drive stub off Kings Daughter Drive. The purpose of the plat was to abandon existing platted right-of-way and to plat a portion of Leonardwood Drive in a re-aligned configuration. The re-aligned configuration is designed to tie into the existing portion of Leonardwood Drive. The new roadway configuration will establish three parcels for professional office and commercial development. Prior to finalizing the plat, the City and the adjacent property owner entered into a land swap agreement in order to create lots that conform to planning and zoning requirements.

The City and Ashwood Place entered into the land swap agreement on 1/28/98. The agreement transferred 1.886 acres of City property to Ashwood Place in exchange for 2.176 property from Ashwood Place. The result would allow Leonardwood to be re-aligned with Ashwood Place constructing approximately 295' of roadway and the city constructing the remaining portion.

Recommendation: Approval

Attachments: Ordinance

Contact Person:

Name: Jeff Hackbart
Title: Director
Department: Public Works
Phone: (502) 875-8563
E-Mail: jhackbrt@fewpb.com

3.5 First reading of An Ordinance Amending Frankfort Municipal Code, Chapter 2.30. Civil Service for Police and Fire, Section 2.30.050-Same-Parts of Examination; Relative Weight of Tests

Purpose: The purpose of this amendment is to balance the weights of the written and oral components of the Fire and Police applicant testing, and to correct an existing error regarding the

calculation of the final score.

Background: Currently the written test component bears a weight of 45%, and the oral interview component bears a weight of 55% of the overall examination score. After compiling the last three eligibility lists it has become apparent that these weights need to be adjusted so that the written test and the oral interview are each weighted at 50%. Additionally, current ordinance indicates that the relative weights of three (3) tests are averaged to determine the total score. Ordinance should indicate that the relative weights of each of the two (2) tests are averaged. All other components are pass/fail and are not a factor in determining the final score.

The Board of Civil Service concurs with this change.

Recommendation: Approval

Attachments: Ordinance

Contact Person:

Name: Brenda Kersey
Title: Personnel Director
Department: Public Works
Phone: 502/875-8500
E-Mail: Bkersey@fewpb.com

3.6 First reading of An Ordinance Accepting a Portion of Brighton Park Boulevard As a Public Street

Purpose: The purpose of this item is to consider an ordinance to accept a portion of Brighton Park Boulevard into the City street system for maintenance. This portion of Brighton Park Boulevard was approved and constructed in 1995 and has been used by the public since that time. The street has been inspected and any deficiencies noted have been corrected. The streets meet the requirements that were specified at the time of approval. Approval of the ordinance to accept the street will complete the official action required for acceptance into the City street system.

Recommendation: Approval

Attachments: Ordinance

Contact Person

Name: Jeff Hackbart
Title: Director
Department: Public Works
Phone: (502) 875-8563
E-mail: jhackbrt@fewpb.com

4. ORDERS

None

5. RESOLUTIONS

None

6. CONSENT CALENDAR

Items on the Consent Calendar are considered to be routine by the Board of Commissioners and will be enacted by one motion and one vote. There will be no separate discussion of these items unless a Commission member so requests, in which event the item will be removed from the Consent

Calendar and considered separately. The City Manager will read the items recommended for approval.

6.1 Bid Authorization - Jones Run Pump Station Upgrade (Public Works)

Background: The construction drawings and specifications are being completed for bidding and construction of the additional pump station at Jones Run. The planned improvements include a new pumping plant with two additional pumps that will increase the pumping capacity of the station from 210 cfs (cubic feet per second) to 360 cfs. The additional pumping capacity will lower the ponding levels behind the Jones Run Floodwall when the floodgates are closed and the area is experiencing heavy rain events. Based upon the design engineering estimate, the Jones Run Pump Station upgrade will cost \$1,200,000 and a contingency of 5 percent is recommended on the construction project. Completed construction documents for administrative review will be submitted to the City on 10/18/02.

The Jones Run Pump Station upgrade is part of a multi-pronged solution recommended by the design engineer, HMB Professional Engineers, Inc. The design engineer recommends a combination of several alternatives that were considered during the planning, engineering and public coordination undertaken on this project. The remaining phases of the Holmes Street Drainage project are the East Main Outlet (tunnel under East Main to the Kentucky River) and storm sewer separation project within the watershed.

City Manager Comments: The Public Works Department will continue to provide regular periodic updates to the Board of Commissioners. This report will now also be shared with the Holmes Street Neighborhood Association for their information. This report to the Association will be in addition to scheduled public meetings until the end of this project.

Recommendation: Authorize solicitation of bids for the construction of the Jones Run Pump Station upgrade.

Attachments: None

Contact Person

Name: Jeff Hackbart
Title: Director
Department: Public Works
Phone: (502) 875-8563
E-mail: jhackbrt@fewpb.com

6.2 Bid Authorization - Sports Equipment for the 2002-2003 Season (Parks & Recreation)

Background: This is an annual bid process in which Parks & Recreation orders baseballs, catcher face masks, leg guards, chest protectors, catcher mitts, batting helmets, batter tees, wiffle balls, volleyball nets and balls, tennis nets and tennis balls, etc. These items are used for the youth baseball and softball leagues as well as the adult softball leagues, tennis and volleyball leagues.

Recommendation: Authorize solicitation of bids for sports equipment for the 2002-2003 Sports Season.

Attachments: None.

Contact Person:

Name: Steve Brooks
Title: Director
Department: Parks & Recreation
Phone: 875-8575
E-Mail: parksrec@mis.net

6.3 Bid Award – Tractor with Mower Attachment (Public Works)

Background: On 8/22/02, the Board of Commissioners authorized Public Works to purchase a new tractor and mower using the existing tractor and mower as a trade-in. The existing tractor is 11 years old and is experiencing high operation and maintenance cost. The new tractor and mower is needed to mow the floodwall property, city right-of-way, and public and private lots throughout the City. The private lots are mowed by the Public Works Department when private property owners fails to properly maintain the lot as required by the City's Property Maintenance Code. The tractor and mower will be purchased through the State Price Contract thus; bid solicitation is not required. The City will purchase the new tractor and mower through the local vendor Bevins Motor Co.. The State Contract Master Agreement number for the tractor is C-00053962 and for the mower is C-02054209.

Financial Analysis:	John Deere 6120	\$24,312.24	Tiger Mower	\$12,473.29
	1991 Long 42 hp	<u>-\$2,500.00</u>	Side rotary mower	<u>- \$1,500.00</u>
		\$21,812.24		\$10,973.29

The total contract price of \$32,785.53 is less than the \$42,000 budgeted in the 2002-2003 Street Department equipment account (100.62.6550) for this purchase. .

Recommendation: Approval.

Attachments: None

Contact Person

Name: Jeff Hackbart
Title: Director
Department: Public Works
Phone (502) 875-8563
E-mail jhackbrt@fewpb.com

6.4 Amendment to the Professional Services Agreement with HMB Professional Engineers, Inc. for Additional Construction Management Services on the U.S. 60 Force Main Project (Sewer Department)

Purpose: The purpose of this item is to amend the existing professional services agreement with HMB Professional Engineers, Inc., to address an additional scope of services associated with the performance of the contractor for the Kentucky Transportation Cabinet (KTC) on the current widening of U.S. 60 between Kentucky Housing Corporation and Vicky Way.

Background: On 3/13/00, the City awarded HMB Professional Engineers, Inc. an Engineering Service Agreement to complete the U.S. 60 Force Main design. This contract had a "not to exceed" limit of \$25,000. On 3/1/00, the contract limit was increased to \$75,000 to cover construction oversight, additional design effect and as-built drawings. Because the project is being performed by two separate contracts, one under contract with the Kentucky Transportation Cabinet, the length of construction is longer than anticipated. This increase will cover the increased time expended by HMB for inspection services to insure the project is performed to

Sewer Department standards. The amendment has been drafted to authorize an increase of \$20,000 in consulting expense.

Financial Analysis: The existing contract is \$75,000 and with the increase of \$20,000 from the Sewer Replacement account #300.68.56550, this will bring the total contract to \$95,000.

Recommendation: Authorize the Mayor to execute an amendment to the professional services agreement with HMB Professional Engineers, Inc. for additional construction management services on the U.S. 60 Force Main Project

Attachments: Amendment #3 (Revised) dated 10/3/02

Contact Person:

Name: William R. Scalf, Jr.
Title: P.E., Director
Department: Sewer
Phone: (502) 875-2448
E-Mail: wscalf@fewpb.com

6.5 Personnel

<u>Personnel Action</u>	<u>Employee</u>	<u>Department</u>	<u>Date</u>	<u>Other</u>
Confirmation	Todd McFarland	Fire	10/29/02	Firefighter
Appointment	Debbie Gipson	Public Works	10/28/02	Part-time Bus Driver
Promotion	Keith Meriwether	Public Works	10/25/02	From Equipment Operator I to Equipment Operator II
Conditional Offer Of Employment	Gary Rubado Michael Davidson	Police		Patrol Officer Recruit- Conditioned upon successful completion of polygraph, psychological, and physical examination, including drug screening
Termination	Sherry Aaron	Communications	9/30/02	Telecommunicator position; Authorize payment accrued leave - 72 hrs. vacation, 20 hrs. holiday

Recommendation: Approval.

Attachments: None

Contact Person:

Name: Brenda Kersey
Title: Personnel Director
Department: City Manager
Phone: 502/875-8500
E-mail: Bkersey@fewpb.com

7. BOARD APPOINTMENTS

8. OLD BUSINESS

8.1 Engineering Services Agreement for Design and Construction Management Services on the Leonardwood Drive Extension Project - Brighton Engineers (Public Works)

Purpose: The purpose of this item is to award an engineering design and construction management contract to Brighton Engineers for the Leonardwood Drive Extension.

Background: Leonardwood Drive was built in the mid 1990's to serve Poplar Creek Shopping Center. Due to the traffic generated by this development, an extension of the existing Leonardwood Drive to Kings Daughter Drive is needed to ease traffic congestion on U.S. 127 South. The extension of Leonardwood Drive will also create two city owned lots (zoned PO and PC) that will be marketed for development. Public Works Department will request authorization to bid in November with construction to begin this Spring.

Brighton Engineers developed the preliminary construction plans and final subdivision plat for this project and is very familiar with all aspects of the project. Brighton has submitted a design contract that addresses the following items:

1. Widen a portion of Kings Daughter Road between Cypress Drive and Leonardwood for additional turn lane storage.
2. Revise construction drawings and specifications for sidewalks on the north side of Leonardwood. The sidewalk construction on the north side will terminate at a mid-block due to the steep slope of the right of way adjacent to Wal-Mart.
3. Design a regional detention basin to serve the newly created lots.
4. Revise the construction cost estimate.
5. Provide construction management services during construction.
6. Revise Sanitary Sewer plans to serve the three lots created by the road extension.

Financial Analysis: Funds are available for this professional service contract in the Transportation Improvement Account 100.90.53295. The not to exceed fee for this service is \$16,400.

Recommendation: Approval.

Attachments: Contract for Consulting Engineering Services dated 10/16/02

Contact Person

Name: Jeff Hackbart
Title: Director
Department: Public Works
Phone: (502) 875-8563
E-mail: jhackbrt@fewpb.com

9. NEW BUSINESS

9.1 Authorization to Seek Request for Qualifications/Request for Proposals (RFQ/RFP) for Architectural Services on the Acquisition of the Paul Sawyer Public Library for Use as a Municipal Building

Purpose: The purpose of this item is to initiate a selection process for retaining a professional architect to study the proposed acquisition of the Paul Sawyer Public Library Building.

Background: The Paul Sawyer Public Library District and the City of Frankfort have been negotiating on the potential sale of the current library facility on Wapping Street as a future municipal building. The Library District also plans to construct a new facility on the adjacent public parking lot property on Wapping Street.

In April, 2002, former Public Works Director Dennis Minks was retained to conduct a preliminary analysis of the anticipated building modifications and space utilization for municipal operations. Mr.

Minks presented his findings and recommendations at a public hearing held at the Frankfort Municipal Building on 10/3/02.

At the Board Work Session on 10/21/02, the City Manager briefed the Board of Commissioners on an outline for scope of services in retaining an architect to refine the cost projections for the project. The architect would also be directed to evaluate such items as parking, traffic circulation, site characteristics and aesthetics plus other features. The Board reached a consensus that the architectural analysis would be limited to the proposed acquisition of the property and not extended to other municipal facility needs at this time.

It is proposed to seek the endorsement of the Board of Commissioners to authorize the City Manager to finalize the scope of services and initiate the RFQ/RFP process as soon as feasible. It is anticipated that the targeted date for receipt of proposals will be November 20.

Attachments: None.

City Manager Comments: The Paul Sawyer Public Library District has been informed on the plans of the City of Frankfort to conduct this architectural analysis. The Library Board members continue to refine their plans for the proposed construction of a new library facility on the adjacent public parking lot. The Library District will report to the City Manager on the needs of the new library facility to support the proposed architectural analysis being conducted by the City of Frankfort.

10. CITIZEN COMMENTS (Non-agenda items)

11. COMMISSIONER COMMENTS

12. CLOSED SESSION KRS 61.810 (1), (b), property

13. ADJOURNMENT